

Amendment to the Claims

In the Claims:

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Please cancel Claims 19 and 31.

Please amend Claims 1, 2, 6, 20, and 35 as follows:

1. (Currently Amended) A method for facilitating automated sale of softgoods, comprising the steps of:

(a) providing a creator program to a creator of the softgoods that automatically includes a unique identifier in each softgood before the softgood is distributed to prospective purchasers, said unique identifier specifically referencing the creator of the softgoods, the creator program producing softgoods that require the use of a specific proprietary player program to enable playback of softgoods authored with the creator program, the specific proprietary player program being configured to determine if the softgood is registered on the computing device on which the specific proprietary player program is installed before enabling playback of a softgood that was produced by the creator program, so that if a softgood is not registered on the computing device on which the specific proprietary player program is installed, the specific proprietary player program enables playback of said softgood in a demo mode, and if the softgood is registered on the computing device on which the specific proprietary player program is installed, the specific proprietary player program enables playback of said softgood in a full mode, wherein registration of the softgood is implemented by creating a registration value that is accessible by the computing device, a different registration value being created for each softgood registered on the computing device;

(b) distributing the softgoods and the specific proprietary player program to prospective purchasers, such that the distribution is not limited to a distribution over private networks; and

(c) providing an agency having a server that implements softgood purchase transactions and maintains a database in which data relating to the sale of softgoods are stored, unique identifiers of the softgoods being referenced in the database to track the softgood purchase transactions, such that for softgoods that are purchased, the database maintains data relating to purchasers of the softgoods for as long as the agency is managing purchases of the softgoods, said agency responding to a purchase of a softgood by transmitting the registration value identifying the softgood that was purchased to a first computing device used to initiate the purchase, so that a first

1 copy of the specific proprietary player program installed on the first computing device will recognize
2 that the softgood that was purchased is registered on the first computing device and thus enable
3 playback of the softgood that was purchased in the full mode, whereas a second copy of the specific
4 proprietary player program installed on a different computing device does not enable playback of the
5 softgood that was purchased in the full mode, unless the registration value for the softgood that was
6 purchased is provided to the different computing device, thereby registering the softgood that was
7 purchased on the different computing device.

8 2. (Currently Amended) The method of Claim 1, wherein the unique identifier for each
9 softgood also references a unique identifier for the creator program provided to the creator and used
10 to create the ~~unencrypted~~ softgood, the unique identifier distinguishing the specific copy of the
11 creator program used by the creator from all other copies of the creator program.

12 3. (Previously Presented) The method of Claim 1, wherein the creator program automatically
13 communicates the unique identifier for the softgood over a network to the server for storage in the
14 database.

15 4. (Original) The method of Claim 1, wherein the unique identifier of the softgood is
16 communicated to the agency for storage in the database by the server during the purchase transaction
17 for said softgood.

18 5. (Original) The method of Claim 1, further comprising the step of automatically including
19 a base price within each softgood prior to the step of distributing the softgoods.

20 6. (Currently Amended) The method of Claim 1, wherein the registration value for the
21 purchased softgood transmitted by the agency includes an identity of the purchaser, so that the
22 registration value for the softgood that was purchased cannot be registered on an additional
23 computing device to enable a copy of the specific proprietary player program installed on the
24 additional computing device to playback the softgood in the full mode, unless the purchaser is
25 identified as an authorized user of the additional computing device.

26 7. (Original) The method of Claim 1, wherein the unique identifier for a softgood is
27 communicated to the agency and entered into the database when the softgood is first purchased.

28 8. (Previously Presented) A method for facilitating purchase of a softgood that is freely
29 distributed to prospective purchasers for preview within a player program and which includes a unique
30 identifier that is assigned to the softgood before the softgood is distributed, comprising the steps of:

1 (a) enabling prospective purchasers to preview the softgood with the player program
2 to a limited extent, prior to deciding to purchase the softgood, wherein during such preview, a prospective
3 purchaser possesses a complete copy of the softgood, regardless of how the softgood was obtained, but
4 the player program controls access to the softgood and allows the prospective purchaser only limited
5 access to the softgood, the player program being configured to determine if the softgood is registered
6 on the computing device on which the player program is installed before enabling playback of a
7 softgood, so that if a softgood is not registered on the computing device on which the player program
8 is installed, the player program enables playback of said softgood in a demo mode, and if the
9 softgood is registered on the computing device on which the player program is installed, the player
10 program enables playback of said softgood in a full mode, wherein registration of the softgood is
11 implemented by creating a registration value that is accessible by the computing device;

12 (b) enabling purchase of the softgood from within the player program by
13 connecting a computer on which the player program is executing with an e-commerce agency to
14 initiate a network transaction, purchase of the softgood causing data related to the purchase to be
15 recorded in the a database of the e-commerce agency and causing a registration value that references
16 the unique identifier to be transmitted to the computer on which the player program is executing, a
17 different registration value being provided for each softgood that is purchased; and

18 (c) registering the softgood on the computer employed for the network transaction
19 using the registration value provided by the e-commerce agency, each registration value received
20 being added to a softgood registration file stored on the computer employed for the network
21 transaction, registration of the softgood on the computer enabling the softgood to be played by the
22 player program beyond the limited extent of the preview, the program player thereafter allowing a
23 purchaser who has thus purchased the softgood to fully access the softgood.

24 9. (Previously Presented) The method of Claim 8, further comprising the step of including at
25 least one of an identification of a creator of the softgood, an identification of a specific copy of a
26 software product used to produce the softgood, and a price in the softgood, prior to its distribution.

27 10. (Original) The method of Claim 8, further comprising the steps of using the player program
28 to transmit an identification of a purchaser of the softgood to the e-commerce agency during the network
29 transaction, to enable the e-commerce agency to debit a financial account of the purchaser for a purchase
30 price of the softgood.

11. (Original) The method of Claim 10, wherein financial account numbers of purchasers of softgoods are stored in the database, a financial account number of a purchaser being used to debit an account of said purchaser as a result of the network transaction.

12. (Original) The method of Claim 8, wherein the step of registering comprises the step of modifying the softgood to include the registration value and recording the registration value in a file, said registration value referencing at least one of an identification of the player program, an identification of the user, and the unique identifier for the softgood.

13. (Original) The method of Claim 8, further comprising the step of including a prohibition of a purchaser modifying the softgood within the softgood.

14. (Original) The method of Claim 8, further comprising the step of registering each instance of the player program with a player identification in the database of the e-commerce agency.

15. (Original) The method of Claim 14, wherein the registration value comprises a combination of at least two of: the unique softgood identification, the player identification, and an identification of the purchaser of the softgood.

16. (Original) The method of Claim 8, wherein the softgood is not usable on the computer for more than a predefined number of times, unless registered on the computer.

17. (Original) The method of Claim 8, wherein the step of enabling prospective purchasers to preview the softgood comprises the step of permitting the softgood to be played with only a substantially reduced quality, unless registered on the computer.

18. (Original) The method of Claim 8, further comprising the step of sending a message over the network to advise a purchaser of the registration value that was used to register the softgood on the computer of the purchaser.

19. (Cancelled)

20. (Currently Amended) A method for controlling play of a softgood on a computer using a player program, said player program also being employed to purchase the softgood through a network transaction, comprising the steps of:

(a) enabling a user to preview the softgood on the computer within the player program, the player program being configured to determine if the ~~unencrypted~~ softgood is registered on the computer on which the player program is installed before enabling playback of a softgood, so that if a particular softgood is not registered on the computer on which the player program is

1 installed, the player program enables playback of the particular softgood in a demo mode, and if the
2 particular softgood is registered on the computer on which the player program is installed, the player
3 program enables playback of the particular softgood in a full mode, wherein the registration is
4 implemented by providing a registration value, a different registration value being required for each
5 softgood; and

6 (b) enabling the user to purchase the softgood through a transaction conducted
7 from within the player program, such that after the user has purchased the softgood, the softgood is
8 registered on the computer using a registration value provided during the transaction, said registration
9 value being based in part on a unique identifier for the softgood provided by a software program used
10 to create the softgood, each registration value received being added to a softgood registration file
11 stored on the computer, registration of the softgood on the computer providing access to the softgood
12 in accord with a license to the softgood so that it is thereafter playable on the computer with the
13 player program beyond a preview limit.

14 21. (Previously Canceled)

15 22. (Previously Presented) The method of Claim 20, wherein if the softgood is transferred to
16 a different computer after being purchased, the softgood must again be registered on the different
17 computer to enable the softgood to be played beyond the preview limit on the different computer.

18 23. (Previously Presented) The method of Claim 20, wherein the registration value is further
19 based on at least one of:

- 20 (a) name of the purchaser of the unencrypted softgood;
- 21 (b) a unique identifier for the player program; and
- 22 (c) an identifier for a creator of the softgood.

23 24. (Previously Presented) The method of Claim 20, wherein the step of enabling the user to
24 purchase the softgood through a transaction conducted from within the player program comprises the
25 steps of:

- 26 (a) confirming that a financial account number provided by a purchaser is valid
27 and is approved for purchase of the softgood by checking the financial account number with an
28 approval service during the transaction; and if the financial account number is valid and approved,
- 29 (b) transmitting the registration value to the purchaser; and if not,
- 30 (c) advising the purchaser that purchase of the softgood was disapproved.

25. (Previously Presented) The method of Claim 20, further comprising the step of maintaining a database on an e-commerce server in which an identification of each purchaser and a list of each softgood purchased by each purchaser are included, to facilitate distribution of at least a portion of the purchase price of the softgood to a creator of the softgood, and to store the registration value so that the purchaser can again reregister the softgood on a computer if the registration of the softgood on the computer is lost.

26. (Original) The method of Claim 25, wherein data stored in the database also include a financial account number for each purchaser of softgoods, said financial account numbers being provided by the purchasers, further comprising the step of charging the financial account referenced by the financial account number of a purchaser during the transaction.

27. (Original) The method of Claim 26, further comprising the step of encrypting the financial account number for transmittal over the network to the database.

28. (Original) The method of Claim 27, wherein the player program is used to encrypt a communication for transmission over the network during the transaction.

29. (Original) The method of Claim 25, wherein the database also includes a current price for each softgood, further comprising the step of advising a purchaser of the current price of the softgood being purchased during the transaction.

30. (Original) The method of Claim 21, further comprising the step of employing the player program to transmit information over a network to an e-commerce agency to implement purchase of a softgood, using a secure communication protocol.

31. (Cancelled)

32. (Previously Presented) A system for facilitating purchase of a softgood of which copies are freely distributed to prospective purchasers for preview prior to purchase, said softgood having a unique identifier that is included within the softgood before its distribution, comprising:

(a) a purchaser computer that includes a first processor, a first memory in which a plurality of machine instructions are stored that implement a plurality of functions when executed by the processor, a first network interface coupling the computer in communication with a network, at least one user interface for input of data to the memory, and a display on which graphics and text are displayed;

(b) a remote computer that includes a second processor, a second memory in which are stored a plurality of machine instructions that implement a plurality of functions when executed by the second processor, and in which a database containing data relating to purchases of softgoods are stored, a second network interface coupling the remote computer in communication with the network and thereby selectively coupling the remote computer in data communication with the purchaser computer via the network;

(c) a softgood comprising machine instructions or media data that are loaded into the first memory of the purchaser computer, the softgood not including any copy protection that prohibits the softgood from being freely copied and freely distributed, other of the machine instructions stored in the first memory comprising a player program that uses the softgood, said player program carrying out a plurality of the functions when the machine instructions of the player program are executed by the first processor, including:

(i) enabling the softgood to be previewed to a limited extent prior to the user purchasing the softgood;

(ii) enabling the user to purchase the softgood in a transaction with the remote computer that is conducted over the network;

(iii) registering the softgood on the purchaser computer after the softgood has been purchased, said softgood being thus registered using a registration value provided by the remote computer, each registration value received being added to a registration file stored on the purchaser computer; and

(iv) checking for a registration of the softgood on the purchaser computer and enabling the softgood to be used by the player program beyond the limited extent of the preview only if the softgood is determined to be registered on the purchaser computer; and

(d) wherein said plurality of functions implemented by said second processor in the remote computer include:

(i) responding to a request to purchase the softgood received over the network from the purchaser computer;

(ii) confirming an approval of a credit purchase by the user of the purchaser computer with a credit approval agency that is coupled to the network;

(iii) determining the registration value as a function of at least the unique identifier of the softgood and sending the registration value to the purchaser computer over the network to register the softgood on the purchaser's computer, each registration value received being added to the registration file stored on the purchaser computer; and

(iv) allocating a portion of a purchase price of the softgood set by terms of a prior agreement to a creator of the softgood.

33. (Original) The system of Claim 32, wherein the plurality of functions implemented by the second processor include:

(a) checking the data stored in the database to determine if data for the user purchasing a softgood are already included within the database; and if so,

(b) using a financial account number included in the data for implementing the purchase of the softgood; and

(c) storing the unique identifier for the softgood purchased in association with the user, within the data of the database.

34. (Original) The system of Claim 32, wherein the registration value is further based on at least one of:

(a) a user identifier that identifies the purchaser of the softgood;

(b) an identifier for the creator of the softgood;

(c) a unique identification for the player program; and

(d) an identification of the purchaser of the softgood.

35. (Currently Amended) A system for facilitating automated sale of softgoods from which a revenue stream is returned to each creator of the softgoods, each softgood including a unique identifier, comprising:

(a) creator computers that execute at least one software program used by creators of the softgoods to produce the softgoods and to assign the unique identifier to the softgoods produced thereby, said creator computers including network interfaces that couple the creator computers to a publicly accessible network, the creators of the softgoods entering into agreements with an e-commerce agency in which the e-commerce agency agrees to facilitate the automated sale of the softgoods and to return a portion of the revenue stream from the automated sale to the creators of the softgoods; and

1 (b) a server computer operated by the e-commerce agency, said server computer
2 maintaining a database in which data relating to the softgoods are stored, said data including unique
3 identifiers for the softgoods, said server computer also including a network interface coupling the server
4 computer in communication with the publicly accessible network and being configured to receive the
5 unique identifier for each softgood from each of:

6 (i) the creator computers before distribution of the softgood to prospective
7 purchasers; and

8 (ii) a user of the softgood at a sale of the softgood, a purchase of a softgood
9 being initiated when a softgood is being used, said purchase by a user of the softgood causing the
10 server computer to confirm approval of a credit transaction for the user by an on-line communication
11 with a credit approval agency, and if the credit transaction is approved, to transmit a registration
12 value over the publicly accessible network to a computer of the user to register the softgood on the
13 computer of the user, and to enter data related to the purchase within the database, each registration
14 value received being added to the computer of the user, a presence of a registration value
15 corresponding to a specific ~~unencrypted~~ softgood enabling playback of the specific ~~unencrypted~~
16 softgood in a full mode, an absence of a registration value corresponding to the specific ~~unencrypted~~
17 softgood enabling playback of the ~~unencrypted~~ softgood only in a demo mode.

18 36. (Original) The system of Claim 35, wherein the registration value is based upon at least
19 one of the user's name, the unique identifier for the softgood, an identifier for the creator of the
20 softgood, and a unique identification of a player program that is executed on the computer of the user
21 to play the softgood.

22 37. (Previously Presented) The system of Claim 35, wherein each of the softgoods includes
23 at least one of an identification of a specific copy of the software program used to produce the
24 softgood, an identification of the creator of the softgood, and a price of the softgood.

25 38. (Original) The system of Claim 35, wherein the server computer sends a current price to
26 the user before the purchase is completed, said current price being stored in the data of the database.

27 39. (Previously Presented) The system of Claim 35, wherein the softgood enables the user to
28 purchase the softgood while the softgood is being executed on the computer of the user.
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40. (Original) The system of Claim 35, wherein a player program that is used to play the softgood communicates with the server computer over the network to facilitate the purchase of the softgood.

41. (Original) The system of Claim 35, wherein a preview of the softgood to a limited extent is permitted on the computer of the user before the softgood is purchased, and once the softgood is registered on the computer of the user using the registration value, use of the softgood on the computer of the user is permitted to an extent determined by a license of the softgood.

42. (Previously Cancelled)

43. (Previously Cancelled)

44. (Previously Cancelled)

45. (Previously Presented) A method for facilitating automated sale of softgoods, comprising the steps of:

(a) providing to a creator of the softgoods a composer program that automatically includes a unique identifier in each softgood before the softgood is distributed to prospective purchasers, said unique identifier specifically referencing the creator of the softgoods, such that softgoods created using the composer program:

(i) require a specific player program to be accessed; and
(ii) do not include any copy protection that prohibits the softgood from being freely copied and freely distributed;

(b) providing an agency that implements softgood purchase transactions and maintains a database in which data relating to the sale of softgoods are stored, unique identifiers of the softgoods being referenced in the database to track the softgood purchase transactions, such that whenever a softgood is purchased, the agency provides a registration value corresponding to the unique identifier for the softgood purchased to a computing system used to purchase the softgood;

(c) providing the specific player program to prospective purchasers, such that each time the specific player program is used to play a softgood created using the composer program, the specific player program automatically:

(i) checks the computing system on which the specific player program is executing, to determine if a registration value corresponding to the unique identifier for the softgood has been provided to said computing system to register the softgood on the computing system, and if so, plays

the softgood, providing access to its full range of benefits; but

(ii) if the registration value has not been provided to the computing system, only enables playing of the softgood in a preview mode, and prompts a user to purchase the softgood in a transaction with the agency; and

(d) distributing the softgoods to prospective purchasers, such distribution not being limited to distribution over a private network.

46. (Previously Presented) The method of Claim 45, wherein if the registration value has not been provided to the computing system, the specific player program automatically communicates with the agency to determine if the unique identifier for the softgood is associated with a purchase of the softgood made by a purchaser who is an authorized user of the computing system on which the specific player program is resident, and if so, plays the softgood with its full range of benefits.

47. (Previously Presented) A system for facilitating purchase of a softgood of which copies are freely distributed to prospective purchasers for preview prior to purchase, said softgood having a unique identifier that is included within the softgood before its distribution, comprising:

(a) a purchaser computer that includes a first processor coupled to a first memory in which a plurality of machine instructions are stored that implement a plurality of functions when executed by the first processor, a first network interface coupling the purchaser computer in communication with a network, at least one user interface for input of data to the first memory, and a display on which graphics and text are displayed;

(b) a remote computer that includes a second processor coupled to a second memory in which are stored a plurality of machine instructions that implement a plurality of functions when executed by the second processor, and in which a database containing data relating to purchases of softgoods are stored, a second network interface coupling the remote computer in communication with the network and thereby selectively coupling the remote computer in data communication with the purchaser computer via the network;

(c) the softgood comprising machine instructions or media data that are loaded into the first memory of the purchaser computer and not including any copy protection that prohibits the softgood from being freely copied and freely distributed, wherein other of the machine instructions stored in the first memory comprise a player program that uses the softgood, said player

1 program causing the first processor to carry out a plurality of the functions when the machine
2 instructions of the player program are executed by the first processor, including:

3 (i) determining if a registration value corresponding to the unique
4 identifier of the softgood that is to be played has been provided to the purchaser computer, and if so,
5 playing the softgood so as to provide access to its full range of benefits;

6 (ii) if a registration value corresponding to the unique identifier of the
7 softgood that is to be played has not been provided to the purchaser computer, communicating with
8 the database on the remote computer over the network to determine if an authorized user of the
9 purchaser computer has previously purchased the softgood that is to be played, and if so, playing the
10 softgood so as to provide access to its full range of benefits; and

11 (iii) if a registration value corresponding to the unique identifier of a
12 softgood that is to be played has not been provided to purchaser computer on which the player
13 program is resident, and if no authorized user of the purchaser computer has previously purchased the
14 softgood that is to be played, playing the softgood so as to provide a limited access, to enable a preview
15 of the softgood, and enabling a user of the purchaser computer to purchase the softgood in a
16 transaction with the remote computer that is conducted over the network, such that when a softgood
17 is purchased, a registration value corresponding to the unique identifier of a softgood is received with
18 the softgood; and

19 (d) wherein said plurality of functions implemented by said second processor in
20 the remote computer include:

21 (i) responding to a request to purchase the softgood received over the
22 network from the purchaser computer;

23 (ii) confirming an approval of a credit purchase by the user of the
24 purchaser computer with a credit approval agency that is coupled to the network;

25 (iii) determining the registration value as a function of at least the unique
26 identifier of the softgood;

27 (iv) sending the registration value to the remote computer over the network
28 to register the softgood on the purchaser's computer; and

29 (v) allocating a portion of a purchase price of the softgood set by terms of a
30 prior agreement to a creator of the softgood.

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48. (Previously Presented) The method of Claim 45, wherein the softgood is not encrypted.

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